



Entered on Docket
February 19, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

PITE DUNCAN, LLP
STEVEN W. PITE (NV Bar #008226)
JACQUE A. GRUBER (NV Bar #11385)
4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933
Telephone: (858) 750-7600
Facsimile: (619) 590-1385
E-mail: ecfnvb@piteduncan.com

ABRAMS & TANKO, LLP
MICHELLE L. ABRAMS (NV Bar #005565)
3085 S. Jones Blvd., Suite C
Las Vegas, NV 89146

Attorneys for Secured Creditor WACHOVIA BANK, NATIONAL ASSOCIATION

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

MONTE LEROY LUNDVALL AND
KIMBERLY RENEE LUNDVALL,

Debtor(s).

Bankruptcy Case No. BK-S-09-27757-mkn
Chapter 7

WACHOVIA BANK, NATIONAL
ASSOCIATION'S ORDER
TERMINATING AUTOMATIC STAY
Date: December 9, 2009
Time: 1:30 P.M.

A hearing on Secured Creditor Wachovia Bank, National Association's Motion for Relief From the Automatic Stay came on regularly for hearing in the United States Bankruptcy Court before the Honorable Mike K. Nakagawa.

///

1 The court having duly considered the papers and pleadings on file herein and
2 being fully advised thereon and finding cause therefor:

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

4 The automatic stay of 11 United States Code section 362 is hereby immediately
5 terminated as it applies to the enforcement by Movant of all of its rights in the real property
6 under the Note and Deed of Trust encumbering the real property commonly known as 20
7 Sunmist Drive, Henderson, Nevada 89074 ("Real Property"), which is legally described as:

8 PARCEL I:

9 LOT EIGHT (8) BLOCK ELEVEN (11) OF
10 GREEN VALLEY ESTATES UNIT NO. 4, AS
11 SHOWN BY MAP THEREOF OF FILE IN BOOK
12 44 OF PLATS, PAGE 55, IN THE OFFICE OF
13 THE COUNTY RECORDER OF CLARK
14 COUNTY, NEVADA

15 PARCEL II:

16 A NON-EXCLUSIVE EASEMENT OVER THE
17 COMMON AREA AS DEFINED IN THAT
18 CERTAIN RESTATEMENT AND AMENDMENT
19 OF THE DECLARATION OF COVENANTS,
20 CONDITIONS AND RESTRICTIONS FOR
21 ACCESS, USE, OCCUPANCY, ENJOYMENT
22 AND THE RIGHT TO INGRESS AND EGRESS
23 TO THE AMENITIES LOCATED THEREON,
24 SUBJECT TO THE TERMS AND CONDITIONS
25 CONTAINED THEREIN, RECORDED
26 DECEMBER 07, 1984 IN BOOK 2032 AS
27 DOCUMENT NO. 1991576.
28

///

///

///

///

///

///

///

///

///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may
2 offer and provide Debtors with information re: a potential Forbearance Agreement, Loan
3 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and
4 may enter into such agreement with Debtors. However, Movant may not enforce, or threaten to
5 enforce, any personal liability against Debtors if Debtors' personal liability is discharged in this
6 bankruptcy case.

7 APPROVED/DISAPPROVED

8
9

DAVID A. ROSENBERG
10 TRUSTEE

11 /./

12 /./

13 /./

14 /./

15 /./

16 /./

17 /./

18 /./

19 /./

20 /./

21 /./

22 /./

23 /./

24 /./

25 /./

26 /./

27 /./

28 /./

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ Approved.

☐ Disapproved.

☒ Failed to respond. - Trustee

###

Submitted by:

/s/ JACQUE A. GRUBER
4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933
(858) 750-7600
NV Bar #11385
Attorney for WACHOVIA
BANK, NATIONAL
ASSOCIATION